

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
Petitioner,)	
)	
v.)	M.B.D. No. 03-10373-JLA
)	
AF&G FENCE AND CONSTRUCTION,)	
JEFFREY DILLON as President,)	
Respondent.)	
_____)	

**MOTION TO WITHDRAW ORDER
ENFORCING INTERNAL REVENUE SERVICE SUMMONS**

The United States of America, on behalf of its agency, the Internal Revenue Service, and by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves this Court to withdraw its Petition to Enforce Internal Revenue Summons which was filed with this Court on November 25, 2003. This Court issued an Order for the respondent to appear at the office of Internal Revenue Service on October 4, 2004, but failed to appear.

The petitioner now seeks to withdraw because the Internal Revenue Service does not wish to pursue this matter any further at this time .

Respectfully submitted:

MICHAEL J. SULLIVAN,
United States Attorney

By: /s/ Anton P. Giedt
ANTON P. GIEDT
Assistant U.S. Attorney
John Joseph Moakley U.S. Courthouse
1 Courthouse Way - Suite 9200
Boston, MA 02210
(617) 748-3282

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the parties of record a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

/s/ Anton P. Giedt
ASSISTANT UNITED STATES ATTORNEY

Dated: January 19, 2005